

CITY COUNCIL
ATLANTA, GEORGIA

06-○-2250

AN ORDINANCE
BY COUNCILMEMBER JIM MADDOX

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION
OF LAND TO THE CORPORATE LIMITS OF THE CITY
OF ATLANTA, GEORGIA; TO PROVIDE FOR THE
NOTIFICATION OF THE DEPARTMENT OF
COMMUNITY AFFAIRS OF THE STATE OF GEORGIA
OF SUCH ANNEXATION; AND FOR OTHER PURPOSES**

WHEREAS, the owner of real property (the "Applicant") has applied to the City of Atlanta for annexation ("the Application") of certain property consisting of 15.74 acres, more or less, as more fully described and delineated in Exhibits "A" and "B" attached hereto (the "Property"); and

WHEREAS, the City of Atlanta has determined that the Property is contiguous to the existing corporate limits of the City of Atlanta in excess of the minimum amount required for such annexations under O.C.G.A. § 36-36-1 *et seq.*; and

WHEREAS, the City of Atlanta has determined that the Applicant is the title holder of record of 100% of the privately owned land within the Property, as evidenced by the Clerk of the Superior Court of Fulton County, Georgia; and

WHEREAS, the requirements in O.C.G.A. § 36-66-4(d) governing procedures for the zoning of land to be annexed into a municipality have been satisfied; and

WHEREAS, the zoning classification approved by the City of Atlanta for the property which is the subject of the proposed annexation shall become effective on the later date of the date of the zoning is approved by the City of Atlanta or the date that the annexation becomes effective as required by O.C.G.A. § 36-36-2; and

WHEREAS, the City of Atlanta has lawfully provided notice to Fulton County, Georgia of all required information including notice of the City of Atlanta's receipt of the Application for annexation of the Property; and

WHEREAS, all issues between the City of Atlanta and Fulton County regarding the annexation have been resolved prior to the adoption of this ordinance; and

WHEREAS, the City of Atlanta has authority pursuant to O.C.G.A. § 36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta, and that the Mayor and Council of the City of Atlanta have determined that the annexation of the Property would be in the best interest of the residents and property owners of the areas to be annexed and of the citizens of the City of Atlanta; and

WHEREAS, any proposed annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

WHEREAS, the City of Atlanta has determined that the Application meets the requirements of law pursuant to O.C.G.A. § 36-36-1 *et seq.*; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

- Section 1.** The Property is hereby annexed to the existing corporate limits of the City of Atlanta, Georgia, pending approval by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 2.** There is hereby filed, as part of this Ordinance and identified as Exhibits “A” and “B”, a survey and legal description of the annexed land.
- Section 3.** The Municipal Clerk is hereby authorized and directed to submit to the United States Department of Justice all necessary documentation required for the Department’s review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 4.** The Municipal Clerk is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of Fulton County as required by O.C.G.A. § 36-36-3, and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the Property.
- Section 5.** The Ordinance shall become effective immediately for school enrollment purposes and for all other purposes in accordance with applicable provisions of Georgia law, contingent upon approval of the annexation by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 6.** All Ordinances, or parts of Ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW

PETITION REQUESTING ANNEXATION

September, 28, 2006

To the City Council of the City of Atlanta, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council of the City of Atlanta, Georgia annex this territory to the City of Atlanta, Georgia, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of the City of Atlanta, Georgia and the description of such territory is as follows:

Parcel Id's: 14F-0029-LL-014-4
and 14F-0009-LL-093-2

ALL THAT TRACT OR PARCEL of real property lying and being in Land
Lots 9 and 29 of the 14th District of Fulton (F.F.) County, Georgia,
and being more particularly described as follows:

Beginning at an iron pin set at the intersection of the southeasterly right-of-way of Kimberly Road (having a 50-foot right-of-way) with the northerly land lot line of Land Lot 29; run thence along northerly land lot line of Land Lot 29 and continuing along the northerly land lot line of Land Lot 9, south 85° 15' 00" East a distance of 1080.3 feet to an iron pin set on the westerly right-of-way of Atlantic Coastline Railroad (having a 100-foot right-of-way); thence southwesterly along said westerly right-of-way of said Atlantic Coastline Railroad a distance of 546.5 feet along the arc of a curve (said arc being subtended by a chord bearing South 04° 27' 00" West, 545.4 feet) to a concrete monument found; thence North 88° 19' 00" West a distance of 1458.5 feet to a concrete monument found; thence North 65° 27' 00" East a distance of 197.3 feet to an iron pin set; thence North 24° 35' 00" West a distance of 225.0 feet to an iron pin found on said southeasterly right-of-way of said Kimberly Road; thence northeasterly along said southeasterly right-of-way of said Kimberly Road a distance of 408.7 feet along the arc of a curve (said arc being subtended by a chord bearing North 55° 43' 00" East, 405.4 feet) to an iron pin set being the POINT OF BEGINNING.

The above-described property contains 15.74 acres and is described as per Plat of Survey for Mrs. Meta R. Schneider, prepared by Bush, Steed & Boyd, Inc., dated July 18, 1972, which plat is incorporated herein by this reference.

Name	Address
1. Derek J Tennyson	1323 Angel Falls Lane Atlanta, GA 30311
2. Angela S Tennyson	1323 Angel Falls Lane Atlanta, GA 30311

Signature

Date

Derek Tennyson 9/27/06
Angela Tennyson 9/27/06

EXHIBIT "A"

Legal Description : 15.74 acre Kimberly Rd
Tract

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2006 TAX BILL

Arthur E. Ferdinand
Tax Commissioner, Fulton County

141 Pryor Street
Atlanta, Georgia 30303
(404) 730-6100

Property Owner	Parcel Identification	Description	User ID
TENNYSON DEREK J & ANGELA S	14F-0029- LL-014-4 UNIMPROVED PROPERTY	REAL PROPERTY TAX DISTRICT: 55	UNINCORP/FUL

Property Address	Account Number	Fair Market Value	Assessed Value
KIMBERLY RD	1690455	105,900	42,360

County Exemption:
County Tax Credit: \$73.19 Service District Tax Credit: Control #:274863

Levies	Assessment	Exemptions	Net Assessment	Net Rate	Net Tax
FULTON					
FUL GENERAL	42,360 -	0 =	42,360 X	.011407	= 483.20
FUL BONDS	42,360 -	0 =	42,360 X	.000063	= 2.67
FUL SCH BOND	42,360 -	0 =	42,360 X	.000282	= 11.95
FUL SCH OPR	42,360 -	0 =	42,360 X	.017825	= 755.07
STATE	42,360 -	0 =	42,360 X	.000250	= 10.59
SSD SFULTON	42,360 -	0 =	42,360 X	.005731	= 242.77
			Total Billed for 2006		1,506.25
			Less amount paid		0.00
			Fulton Total Due		\$1,506.25

PAY THIS AMOUNT FOR TAX YEAR 2006 \$1,506.25

Please read the reverse side of this bill and enclosed brochure for additional information and instructions or call our 24-hour automated customer service line at (404) 730-6100.



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Tax Commissioner, Fulton County

141 Pryor Street
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Property Owner	Parcel Identification	Description	User ID
TENNYSON DEREK J & ANGELA S	14F-0009- LL-093-2	REAL PROPERTY	
	UNIMPROVED PROPERTY	TAX DISTRICT: 55	UNINCORP/FUL

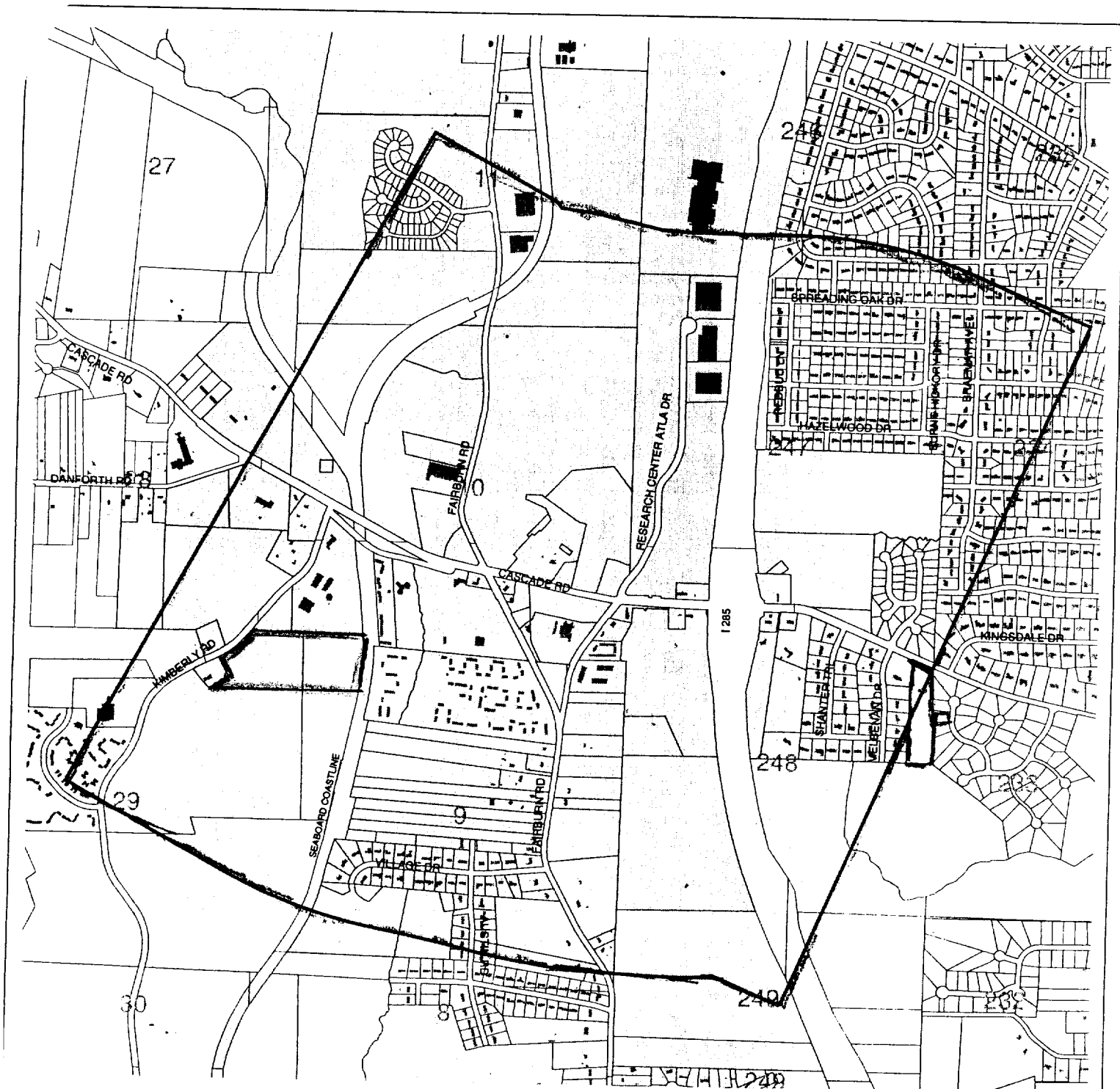
Property Address	Account Number	Fair Market Value	Assessed Value
1200 KIMBERLY RD	1665728	33,200	13,280

County Exemption: \$22.94 Service District Tax Credit: Control #: 274312
County Tax Credit:

Levies	Assessment	Exemptions	Net Assessment	Net Rate	Net Tax
FULTON					
FUL GENERAL	13,280 -	0 =	13,280 X	.011407	= 151.48
FUL BONDS	13,280 -	0 =	13,280 X	.000063	= 0.84
FUL SCH BOND	13,280 -	0 =	13,280 X	.000282	= 3.74
FUL SCH OPR	13,280 -	0 =	13,280 X	.017825	= 236.72
STATE	13,280 -	0 =	13,280 X	.000250	= 3.32
SSD SFULTON	13,280 -	0 =	13,280 X	.005731	= 76.11
			Total billed for 2006		472.21
			Less amount paid		0.00
			Fulton Total Due		\$472.21

PAY THIS AMOUNT FOR TAX YEAR 2006 \$472.21

Please read the reverse side of this bill and enclosed brochure for additional information and instructions or call our 24-hour automated customer service line at (404) 730-6100.

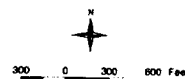


- Overlay District
- Parcel
- Landlot
- Parcels in Overlay District
- Buildings
- ATLANTA
- FULTON COUNTY

All non-residentially zoned properties with in 3,500 feet of the center line of Cascade Road in unincorporated Fulton County between the Atlanta City limits and Danforth Road

Cascade Road Overlay District

Adopted February 7, 1996



Prepared by the Fulton County Department of
Environment and Community Development
Support Services
Geographic Information System

TENNYSON

WIF,
COLONIAL PIPELINE CO.

WIF,
SEVENTH DAY ADVENTISTS

ROAD

50' R/W

E COLONIAL PIPE LINE CO. R/W
FOR R/W EASEMENTS SEE
DEED BOOK 1779 - PAGE 04
DEED BOOK 1881 - PAGE 453
DEED BOOK 4172 - PAGE 540
DEED BOOK 5390 - PAGE 10

15.74 ACRES

14F-0029-LL-014-4

14F-0009-LL-093-2

APPROX.
LAND LOT LINE

LL 28
LL 29
LL 10
LL 9

589'-15"E
1080.3'

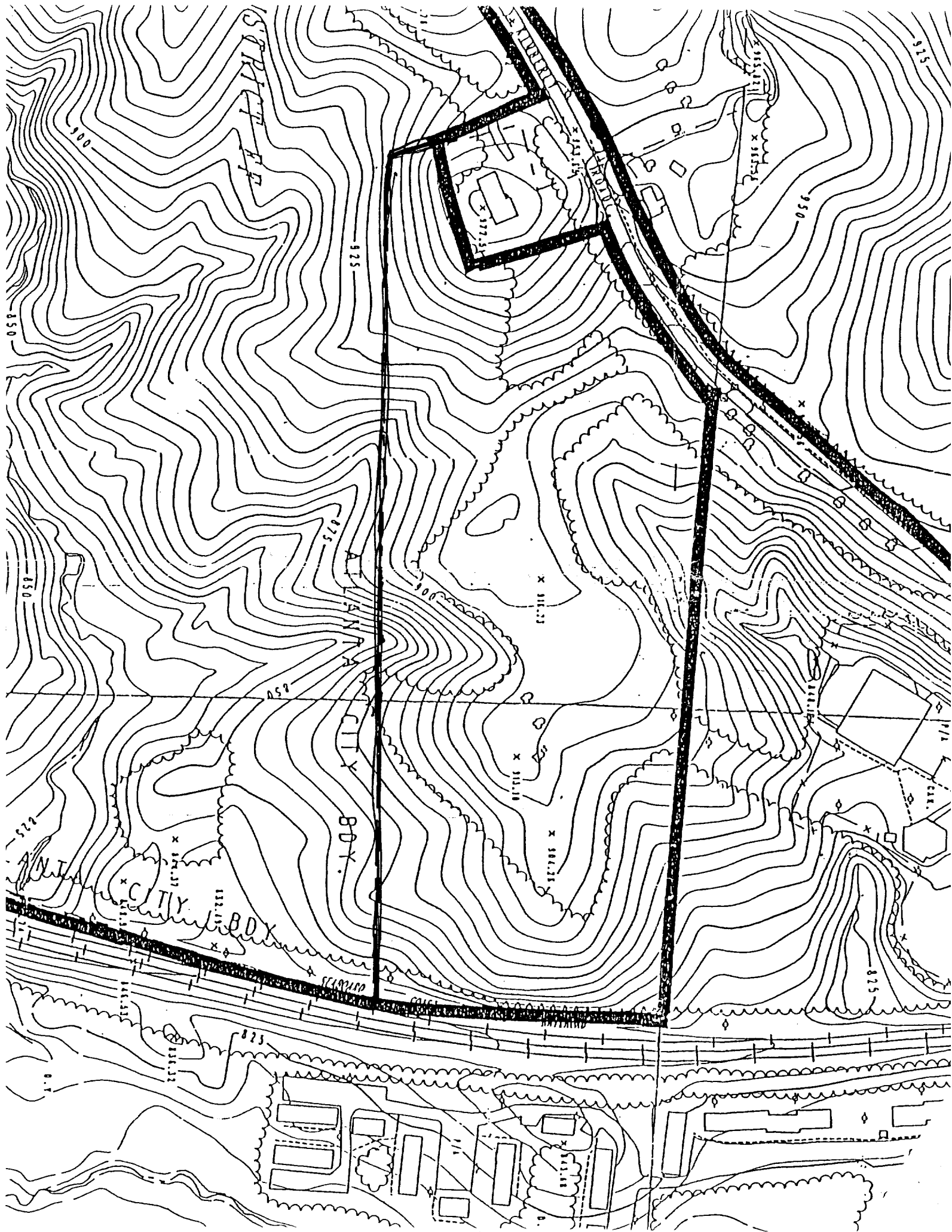
225.0'
117.3'
22.68'

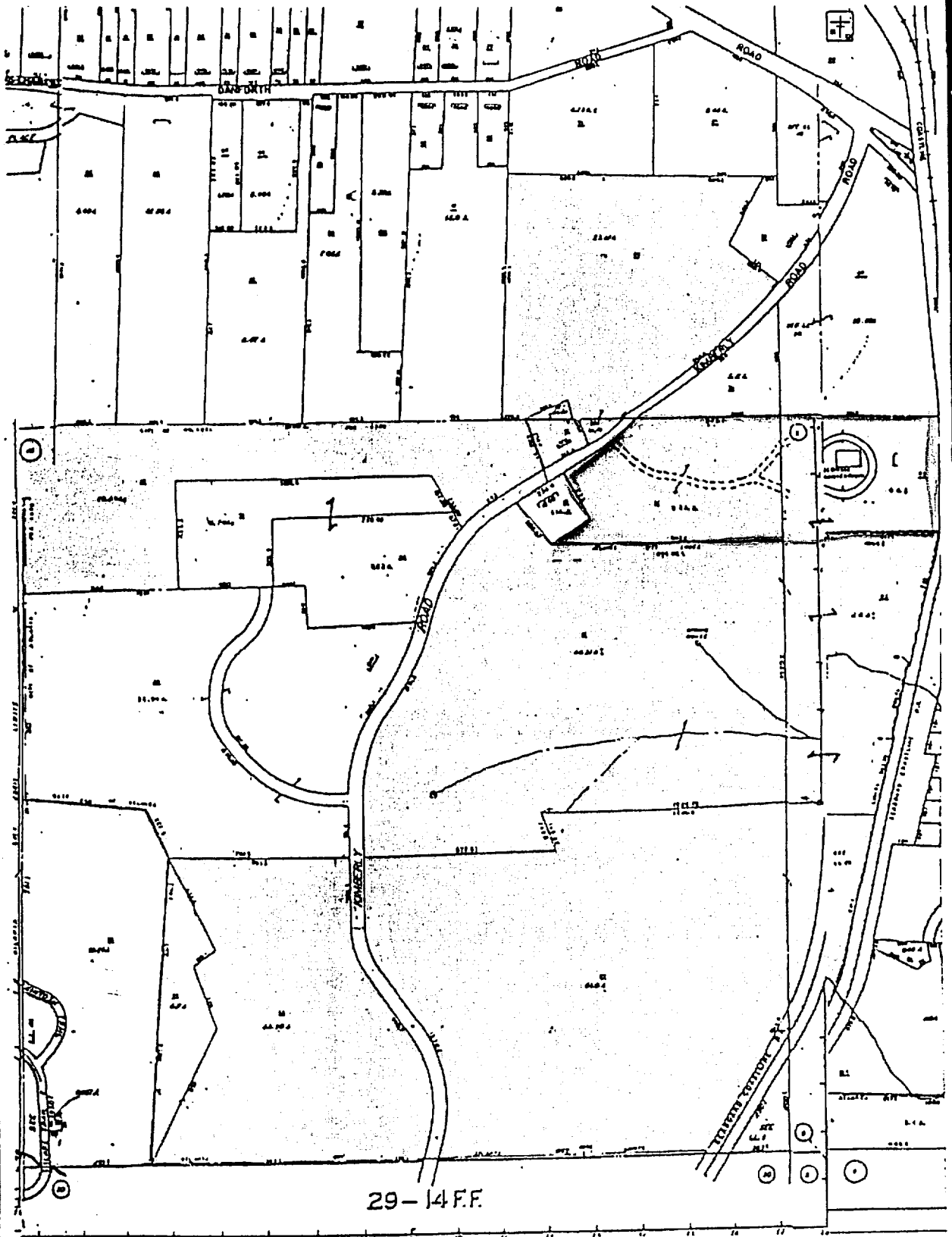
R.O.F.
1458.5'
R.O.F. N 88°-19' W
R.O.F.

R.O.F.
R.O.F.
R.O.F.
CONC. ROAD

WIF,
KELLEY PROPERTIES

A = 546.7'





29-14.F.F.

Julian
LeCraw
& Co., Inc.

TAX PLAT